

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KIM MORTIMER,

Appellant,

-against-

HEIDI J. SORVINO, *Chapter 11 Trustee*, et
al.,

Appellees.

20 Civ. 4032 (LGS)

ORDER

LORNA G. SCHOFIELD, United States District Judge:

WHEREAS, per the Bankruptcy Appeal Scheduling Order at Dkt. No. 12, the parties were advised that the Federal Rule of Bankruptcy Procedure (“Rule”) 8018 governs the dates by which briefs are to be served and filed;

WHEREAS, *pro se* Appellant Mortimer filed a statement of facts on June 25, 2020, and a reply brief on July 13, 2020. The docket does not reflect that the record on appeal has been transmitted or made available electronically by the bankruptcy court. It is hereby

ORDERED that Ms. Mortimer is advised that per Rule 8018, her opening brief is due within 30 days *after* the docketing of notice that the record has been transmitted or is available electronically by the bankruptcy court. Because the record on appeal has not yet been transmitted, the thirty-day period by which Ms. Mortimer has to file her opening brief has not yet begun. Therefore, her filings are too early and will be stricken. Ms. Mortimer should not file any further documents until after the record has been transmitted, because they will not be accepted.

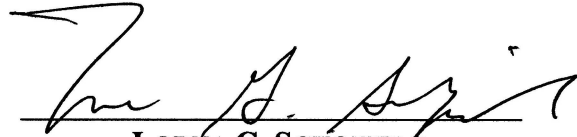
Ms. Mortimer shall file one opening brief within thirty-days after the record is transmitted. This brief should not be more than 30 pages in length per the relevant rules. *See* Individual Rule III.B.1; Rule 8015. Appellees shall then file their opposition brief, which is also

limited to 30 pages. Within 14 days after service of Appellees' opposition brief, Ms. Mortimer may file a reply brief not to exceed 15 pages in length also per the relevant rules. It is further

ORDERED that Appellees shall notify Ms. Mortimer when the record has been transmitted and shall file proof of service within four business days after the record has been transmitted.

The Clerk of Court is respectfully directed (1) to strike Dkt. Nos. 11 and 13, and (2) to mail a copy of this Order and the Order at Dkt. No. 12 to *pro se* Appellant.

Dated: July 15, 2020
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE